Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - MSW, WQ

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

AJ's Services, 5688 State Highway 359 on the east side of State Highway 359, approximately seven miles from the intersection of State Highway 44 and State Highway 359, Alice, Jim Wells County

Type of Operation:

Sludge transporter business and beneficial land use site

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: June 21, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$18,900

Amount Deferred for Expedited Settlement: \$3,780 **Amount Deferred for Financial Inability to Pay:** \$0

Total Paid to General Revenue: \$15,120 **Total Due to General Revenue:** \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Investigation Information

Complaint Date(s): May 16, 2012

Complaint Information: Alleged that sewage from oil and gas drilling rigs and

production sites was being disposed of on the ground.

Date(s) of Investigation: June 15, 2012 and June 26, 2012

Date(s) of NOE(s): August 22, 2012

Violation Information

- 1. Failed to obtain authorization to land apply domestic sewage sludge. Specifically, Respondents did not renew TCEQ Sludge Registration No. 710894, which expired on March 14, 2011, and are continuing to land apply domestic septage. Waste manifests indicate at least 2,212,182 gallons of domestic septage was land applied from December 21, 2011 through June 14, 2012 [30 Tex. ADMIN. CODE § 312.4(d)].
- 2. Failed to deposit wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the Executive Director to receive wastes. Specifically, Respondents are transporting and disposing septic tank waste at the Site [30 Tex. Admin. Code § 312.143 and Tex. Water Code § 26.121(a)(1)].
- 3. Failed to prevent the unauthorized disposal of MSW. Approximately 524 cubic yards of MSW including plastics, cardboard, household garbage, treated wood, metals, motor oil bins, filters, polyvinyl chloride pipes, tarps, vegetable debris, a couch, wire, rubber/plastic hoses, cement pieces, used and/or scrap tires, pipe end caps, drums containing unknown substances, axles, batteries, used oil filters, and insulation were disposed of at the Site [30 Tex. Admin. Code § 330.15(c)].
- 4. Failed to maintain a copy of the sludge transporter registration authorization at the designated place of business and in each vehicle operated under that registration [30 Tex. Admin. Code § 312.142(c)].
- 5. Failed to keep records showing how the domestic septage met the pathogen and vector attraction reduction requirements listed in 30 Tex. Admin. Code § 312.82(c) (relating to Pathogen Reduction) and 30 Tex. Admin. Code § 312.83 (relating to Vector Attraction Reduction). Copies of records were not being maintained on the two vehicles for a minimum of one month and at the beneficial land use site and transporter office for a minimum of five years [30 Tex. Admin. Code § 312.144(e)].
- 6. Failed to maintain a record of each individual collection and deposit in the form of a trip ticket. Specifically, numerous manifests were incomplete; only including the generator name; the name, address, and telephone number of the transporter; amount

of waste collected; and the volume of the septic tank [30 TEX. ADMIN. CODE § 312.145(a)].

- 7. Failed to mark discharge valves and ports on vehicles used to transport liquid wastes. Specifically, the discharge valves and ports on the two registered transport vehicles were not marked [30 Tex. Admin. Code § 312.144(f)].
- 8. Failed to perform cleanup actions upon detection of a release of used oil. Specifically, an oil stain was observed near one of the used oil tanks [30 Tex. Admin. Code § 324.6 and 40 Code of Federal Regulations ("CFR") § 279.22(d)].
- 9. Failed to label used oil containers clearly with the words "Used Oil". Specifically, two drip pans containing used oil were not labeled with the words "Used Oil" [30 Tex. ADMIN. CODE § 324.6 and 40 CFR § 279.22(c)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondents to:

- a. Immediately:
- i. Cease all land application of domestic sewage sludge at the Site until authorization is obtained; and
- ii. Cease disposing of any additional unauthorized MSW at the Site.
- b. Within 15 days, submit written certification demonstrating compliance with Ordering Provisions a.i. and a.ii.;
- c. Within 30 days:
- i. Remove all unauthorized waste from the Site and dispose of it at an authorized facility;
- ii. Develop and implement a record keeping system to ensure records are maintained to show how the domestic septage meets the pathogen and vector attraction reduction

requirements listed in 30 TEX. ADMIN. CODE § 312.82(c) (relating to Pathogen Reduction) and 30 TEX. ADMIN. CODE § 312.83 (relating to Vector Attraction Reduction);

- iii. Begin maintaining complete trip ticket records;
- iv. Begin maintaining a copy of the sludge transporter registration authorization at the designated place of business and in each vehicle operated under that registration;
- v. Appropriately mark discharge valves and ports on vehicles used to transport liquid wastes;
- vi. Develop and implement procedures to ensure used oil is properly managed to prevent discharges of used oil onto the ground from oil tanks;
- vii. Appropriately mark each used oil container with the words "Used Oil", including but not limited to the two drip pans; and
- d. Within 60 days, submit a report, which includes a summary of remediation activities that took place, confirming that all contaminated soil at the Site has been properly remediated. Remediation activities will address all areas where soil has been contaminated with sewage sludge, used oil, and/or other waste at the Site. The report shall include analytical results of soil confirmation sampling which characterizes the effectiveness of contaminated soil removal in all contaminated areas and documentation that contaminated soil and waste have been disposed at an authorized facility; and
- e. Within 75 days, submit written certification demonstrating compliance with Ordering Provisions c. and d.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A Settlement Date: N/A

Contact Information

TCEO Attorney: N/A

TCEQ Enforcement Coordinator: Jacquelyn Green, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2587; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

TCEO SEP Coordinator: N/A

Respondent: Vidal Lopez, Owner, AJ's Logistic Services, LLC, P.O. Box 3171, Alice,

Texas 78333

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW)

\$14,580

Policy Revision 3 (S	eptember 2011)					PCW Revis	sion August 3, 2011
TCEQ DATES Assigned	27-Aug-2012						
PCW		Screening	10-Sep-2012	EPA Due			
RESPONDENT/FACIL	ITY INFORMATI	ON					
Respondent	Vidal Lopez and		ervices, LLC				
Reg. Ent. Ref. No.							
Facility/Site Region	14-Corpus Christ			Major/M	inor Source	Minor	
CASE INFORMATION	12						
Enf./Case ID No.				No. o	f Violations		
Docket No. Media Program(s)	2012-1882-MLM	-E		Government	Order Type		
Multi-Media	Municipal Solid V	Vaste			Coordinator		
					EC's Team	Enforcement Tea	m 1
Admin. Penalty \$	Limit Minimum	\$0 N	Maximum	\$25,000	ojye możnynymiynyki kodominycho komininki od od od od ogodnie możniki od		
		Denalty	Calculat	ion Sectio	n		
TOTAL BACE BEN	N TV /C	•			11		#20 2E0
TOTAL BASE PENA	ALIY (Sum of	Violation E	ase penan	(les)		Subtotal 1	\$20,250
ADJUSTMENTS (+	/-) TO SUBTO	DTAL 1				1466	
Subtotals 2-7 are o Compliance Hi	btained by multiplying	the Total Base Pe	nalty (Subtotal 1 -10.0%	BANGARA TRANSPORTATION TO CASTORIA TO PROGRESSOR AND A TOP OF THE PROGRESSOR AND A TOP		tals 2, 3, & 7	-\$2,025
Comphance in	Story .		-10.070	Limancement	<u> </u>		72,023
Notes	R	eduction for hi	gh performer	classification.			
Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
Notes	The Ro	espondents do	not meet the	culpability criter	ia.		
1401.03							
Cood Foith Eff	fort to Comply T	atal Adiustm	• • • • • • • • • • • • • • • • • • •			Subtotal 5	\$0
GOOG FAICH EN	ore to comply i	otai Aujustiin	EIILS			Subtotal 3	70
	•					- 11 - 12	
Economic Ben	Total EB Amounts	\$832		Enhancement* d at the Total EB \$ A	mount	Subtotal 6	\$0
Approx	. Cost of Compliance	\$20,050		,			
SUM OF SUBTOTA	161_7					inal Subtotal	\$18,225
3001012	L3 1-/					mai Subtotal	4-0/0
OTHER FACTORS			RE [0.0%		Adjustment	\$0
Reduces or enhances the Fina	Subtotal by the indic	ated percentage.			tarusuumi hautaus 1600-6	1	y y y y
Notes							Weller

					Final Per	nalty Amount	\$18,225
STATUTORY LIMI	T ADJUSTMEN	JT .			Einal Acco	ssed Penalty	\$18,225
SIAIGIORI LIMI	, ADJUGI PIEN	•			, mai Asse	Social Females	710/223
DEFERRAL				20.0%	Reduction	Adjustment	-\$3,645
Reduces the Final Assessed Pe	enalty by the indicted	percentage. <i>(Ent</i> e	r number only; ē	.g. 20 for 20% redu	ction.)	- -	
Notes	ļ r	Deferral offered	l for expedited	i settlement.			Open and the second sec
140003							de la composition della compos
	L			A CONTRACTOR OF THE PROPERTY O		•	

Screening Date 10-Sep-2012

Docket No. 2012-1882-MLM-E

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Respondent Vidal Lopez and AJ's Logistic Services, LLC

Case ID No. 44993

Reg. Ent. Reference No. RN104709241

Media [Statute] Water Quality

Enf. Coordinator JR Cao

Compliance History Worksheet

Component	ory Site Enhancement (Subtotal 2) Number of	Enter Number Here	<u>Adjust</u>
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
,	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
ouici	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
at Violator (Adjustment Perd (Subtotal 3) Adjustment Perd Adjustment Perd		
pliance Histo	ory Person Classification (Subtotal 7)		190
High Per	former Adjustment Per	centage (Sub	total 7
pliance Histo	ory Summary		
Compliance History Notes	Reduction for high performer classification.		
	Total Compliance History Adjustment Percentage (S	Subtotals 2, :	3, & 7)

Screening Date	10-Sep-2012 Docket No. 2012-1882-M	ILM-E PCW
	Vidal Lopez and AJ's Logistic Services, LLC	Policy Revision 3 (September 2011)
Case ID No		PCW Revision August 3, 2011
Reg. Ent. Reference No		
Media [Statute] Enf. Coordinato		
Violation Numbe		
Rule Cite(s		
Kaic ologo	30 Tex. Admin. Code § 312.4(d)	
Violation Description	Failed to obtain authorization to land apply domestic sewage documented during an investigation conducted on June 15, 2012. Respondents did not renew Texas Commission on Environmental Sludge Registration No. 710894, which expired on March 14, 2 continuing to land apply domestic septage. Waste manifests in 2,212,182 gallons of domestic septage was land applied from Decthrough June 14, 2012.	Specifically, the Quality ("TCEQ") 2011, and are dicate at least
	through June 14, 2012.	Base Penalty \$25,000
>> Environmental, Prope	rty and Human Health Matrix	
	Harm	
OR Release		
Potentia		0.0%
		·
>>Programmatic Matrix Falsification	Major Moderate Minor	
	Y Percent	5.0%
		un periode in the control of the Con
Matrix	100% of the rule requirement was not met.	
Notes	100 % of the rectangue and	
<u>La companya da la co</u>		
	Adjustment	\$23,750
		\$1,250
Violation Events		
Number of	Violation Events 9 264 Number of vio	olation days
	daily weekly monthly X	
mark only one with an x		on Base Penalty \$11,250
Nine mont	hly events are recommended from the date of the earliest manifest (2011) to the screening date (September 10, 2012).	(December 21,
Good Faith Efforts to Con	Defore NOV NOV to EDPRP/Settlement Offer	\$0
	Extraordinary Extraordinary	· ·
	Ordinary	
	N/A (mark with x)	ELECTRICAL PROPERTY OF THE PRO
	Notes The Respondents do not meet the good faith criter this violation.	ria for
	Vic	olation Subtotal \$11,250
Economic Benefit (EB) fo	r this violation Statutory	Limit Test
Estima	ted EB Amount \$85 Violation Fin	al Penalty Total \$10,125
	This violation Final Assessed Penalty (adju	usted for limits) \$10,125

Case ID No. eg. Ent. Reference No.							
	. RN104709241						
	Water Quality					Percent Interest	Years of Depreciation
Violation No.	. 1						Depreciation 15
	Thom Cost	Date Required	Final Date	Yrs	Interest Saved	5.0 Onetime Costs	EB Amount
Item Description			· mor pace				
ztem poscupuo.	• 110 (0)/11/103 0/ 4						
Delayed Costs	1.0	120				34 (94	
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal							
				0.00		n/a	
Permit Costs Other (as needed)	\$1,000	21-Dec-2011	5-Sep-2013	1.71 0.00	\$85 \$0	n/a n/a n/a	\$85 \$0
				1.71 0.00	\$85 \$0	n/a n/a	\$85 \$0
Other (as needed)	Estimated cos	st to obtain the re	quired registrati	1.71 0.00 on from	\$85 \$0 n the TCEQ before	n/a n/a application of dome	\$85 \$0 estic septage at
	Estimated cos	st to obtain the re	quired registrati date of the earli	1.71 0.00 on from est mai	\$85 \$0 n the TCEQ before	n/a n/a	\$85 \$0 estic septage at
Other (as needed) Notes for DELAYED costs	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man	\$85 \$0 In the TCEQ before nifest (December pliance date.	n/a n/a application of dome 21, 2011) and the f	\$85 \$0 estic septage at inal date is the
Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com	\$85 \$0 In the TCEQ before nifest (December pliance date.	n/a n/a application of dome	\$85 \$0 estic septage a inal date is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com enterin 0.00	\$85 \$0 In the TCEQ before nifest (December pliance date.	n/a n/a application of dome 21, 2011) and the f	\$85 \$0 estic septage a final date is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com	\$85 \$0 In the TCEQ before nifest (December pliance date. In item (except \$0	n/a n/a application of dome 21, 2011) and the f for one-time avoid	\$85 \$0 estic septage a final date is the ded costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com enterin 0.00 0.00	\$85 \$0 In the TCEQ before nifest (December pliance date. In the text of the te	n/a n/a application of dome 21, 2011) and the f for one-time avole \$0 \$0	\$85 \$0 estic septage a inal date is the ded costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com enterin 0.00 0.00 0.00	\$85 \$0 In the TCEQ before nifest (December pliance date. ig item (except \$0 \$0	n/a n/a application of dome 21, 2011) and the f for one-time avoid \$0 \$0 \$0 \$0	\$85 \$0 estic septage a final date is the ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated cos a facility. Dat	it to obtain the recte required is the	quired registrati date of the earli expect	1.71 0.00 on from est man ed com enterin 0.00 0.00 0.00	\$85 \$0 In the TCEQ before nifest (December pliance date. ig item (except \$0 \$0 \$0 \$0	n/a n/a application of dome 21, 2011) and the f for one-time avoid \$0 \$0 \$0 \$0	\$85 \$0 estic septage a final date is the ded costs) \$0 \$0 \$0

	ening Date		Docket No. 2012-1882-MLM-E	*	PCW
			d AJ's Logistic Services, LLC	-	on 3 (September 2011)
Reg. Ent. Re	Case ID No. ference No.			PCW R	Revision August 3, 2011
	ia [Statute]				
\$ 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Coordinator		1		
Viol	ation Number Rule Cite(s)				
ne empresa		30 Tex.	Admin. Code § 312.143 and Tex. Water Code § 26.121(a)	(1)	
Violatio	on Description	where the ow facility has wr Director to re	osit wastes at a facility designated by or acceptable to the governor or operator of the facility agrees to receive the wastes eitten authorization by permit or registration issued by the leceive wastes, as documented during an investigation cond . Specifically, the Respondents are transporting and dispositank waste at the Site.	and the Executive ucted on	
			Bas	e Penalty	\$25,000
>> Environme	ntal, Proper	ty and Hum	an Health Matrix		:
	Release	Major	Harm Moderate Minor		
OR	Actual			•	
	Potential		Percent 5.0%		
>>Programma	tic Matrix				
	Falsification	Major	Moderate Minor	ı	
][]	Percent 0.0%		
	Human health	or the environm	ent has been exposed to insignificant amounts of pollutant	s which do	
Matrix Notes			tective of human health or environmental receptors as a re		
			violation.		
			Adjustment	\$23,750	,
					\$1,250
				_	
Violation Event	ls .				
	Number of \	Violation Events	1 76 Number of violation	days	
	mark only one with an x	daily weekly monthly quarterly semiannual annual single event	X Violation Bas	e Penalty [\$1,250
	One quarterly	event is recomn	nended from the investigation date (June 26, 2012) to the date (September 10, 2012).	screening	
Good Faith Effo	orts to Com	ply [0.0% Reduction		\$0
		Extraordinary [Before NOV NOV to EDPRP/Settlement Offer		
		Ordinary			
		N/A	x (mark with x)		
		Notes	The Respondents do not meet the good faith criteria for this violation.		
			Violation	Subtotal	\$1,250
Economic Bene	fit (EB) for	this violatio	n Statutory Limit	Test	
The second secon	Estimate	ed EB Amount[\$392 Violation Final Pena	alty Total	\$1,125
		•	This violation Final Assessed Penalty (adjusted for	or limits)	\$1,125
		9.5		,	

eg. Ent. Reference No. Media Violation No.	Water Quality					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs	(1 0 00	40	40	+0
Equipment				0.00	\$0	\$0	\$0 \$0
Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/construction Land				0.00	\$0 \$0	n/a	\$0 \$0
		<u> </u>					
				10001	d A	n/-	
Record Keeping System				0.00	\$0 \$0	n/a	\$0 ¢∩
Record Keeping System Training/Sampling	\$10,000	#26=Nn=2012	8-Apr-2013	0.00	\$0	n/a	\$0
Record Keeping System Training/Sampling Remediation/Disposal	\$10,000	26-Jun-2012	8-Apr-2013	0.00	\$0 \$392	n/a n/a	\$0 \$392
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed)				0.00 0.78 0.00 0.00	\$0 \$392 \$0 \$0	n/a	\$0 \$392 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs		ed cost to remove	the septic tan	0.00 0.78 0.00 0.00 waste	\$0 \$392 \$0 \$0	n/a n/a n/a n/a e area. Date requir	\$0 \$392 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed)	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 waste	\$0 \$392 \$0 \$0 and remediate the estimated date	n/a n/a n/a n/a e area. Date requir	\$0 \$392 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 waste ate is the	\$0 \$392 \$0 \$0 and remediate the estimated date	n/a n/a n/a n/a n/a of a e area. Date requir of compliance. for one-time avoic \$0	\$0 \$392 \$0 \$0 ed is the
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 k waste ate is the	\$0 \$392 \$0 \$0 and remediate the estimated date of item (except 1) \$0 \$0	n/a n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoic \$0 \$0	\$0 \$392 \$0 \$0 ed is the
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date or gitem (except 1 \$0 \$0 \$0	n/a n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoic \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 extense is the	\$0 \$392 \$0 \$0 and remediate the estimated date of item (except 1 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 \$0 ed is the led costs) \$0 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date or item (except 1 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the led costs) \$0 \$0 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date of item (except of the second of the se	n/a n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the led costs) \$0 \$0 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/ equipment Financial Assurance [2]	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date or item (except 1 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the led costs) \$0 \$0 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date of item (except of the second of the se	n/a n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the led costs) \$0 \$0 \$0 \$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimat	ed cost to remove investigatio	the septic tan n date. Final d	0.00 0.78 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$392 \$0 \$0 and remediate the estimated date of item (except of the second of the se	n/a n/a n/a n/a n/a n/a e area. Date requir of compliance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$392 \$0 \$0 ed is the led costs) \$0 \$0 \$0 \$0

	g Date 10-Sep-2012	Docket No. 2012-18	82-MLM-E PCW
	ndent Vidal Lopez and A	J's Logistic Services, LLC	Policy Revision 3 (September 2011 PCW Revision August 3, 201
Reg. Ent. Referen	ID No. 44993 ce No. RN104709241		FCW REVISION August 5, 201.
Media [St	atute] Water Quality		
Enf. Coord Violation	linator JR Cao Number 3		
	Cite(s)		
nieros parameters de la constanta de la consta		30 Tex. Admin. Code § 330.15(c)	
-dozen	Falled to preve	nt the unauthorized disposal of municipal solid	i waste ("MSW") as
WW	documented du	ring an investigation conducted on June 26, 2	012. Approximately
Violation Des	cription wood, metals	of MSW including plastics, cardboard, househ, motor oil bins, filters, polyvinyl chloride pipes	s, tarps, vegetable
Management of the Control of the Con	debris, a couch,	wire, rubber/plastic hoses, cement pieces, use drums containing unknown substances, axles	ed and/or scrap tires,
	pipe end caps,	filters, and insulation were disposed of at the	Site:
erend house of his		uer penare a trock ei treumbliche brouget, et der tigest, die et tabet tribed als andere state de eine een een	and the state of the control of the state of
Terraria de Caración de Caraci			Base Penalty \$25,00
>> Environmental,	Property and Huma		
7 300	Release Major	Harm Moderate Minor	
OR	Actual	×	
	Potential	Percent	5.0%
>>Programmatic M			
Falsi	ification Major	Moderate Minor Percent	0.0%
I security (III.)			
Matrix Huma	n health or the environme	nt has been exposed to insignificant amounts	of pollutants which do
Notes not e	xceed levels that are prote	ctive of human health or environmental recep violation.	tors as a result of the
Meni Heli			
		Adjustmen	\$23,750
·			\$1,25
Violation Events			
Nu	mber of Violation Events	1 76 Number	of violation days
110	inder of violation Events		-,
**************************************	daily weekly		
opproving the same of the same	monthly		
1	ch an x quarterly	Vid	lation Base Penalty \$1,25
TO THE SAME AND A SAME	semiannual annual		
TO AND THE PARTY OF THE PARTY O	single event		
One	quarterly event is recomme	ended from the investigation date (June 26, 2 date (September 10, 2012).	o12) to the screening
Good Faith Efforts t	o Comply	0.0% Reduction	\$
	Extraordinary	Before NOV NOV to EDPRP/Settlement Offer	
	Ordinary		
	N/A	(mark with x)	
Anthropy Company	Notes	The Respondents do not meet the good faith o	riteria for
		this violation.	
remainment and the second seco			Violation Subtotal \$1,25
Economic Benefit (I	EB) for this violation		ory Limit Test
Parameter	Estimated EB Amount	\$325 Violation	Final Penalty Total \$1,12
		This violation Final Assessed Penalty (adjusted for limits) \$1,12

	E	conomic	Benefit	Wo	rksheet		
Case ID No.	44993	nd AJ's Logistic Ser	vices, LLC				ender over the second contract of the second
	Water Quality					Percent Interest	Years of Depreciation
Violation No.	3					= 0	(Stables September 1997)
Author Spinished Committee						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs				ş			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0
Engineering/construction				0.00	\$0 \$0	n/a	\$0 \$0
Land				0.00	\$0 \$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$8,300	26-Jun-2012	8-Apr-2013	0.78	\$325	n/a	\$325
Remediation/Disposal	38,300	20-JUII-2012	0-AUI-2013	0.00	\$525 \$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a	\$0
Notes for DELAYED costs		investigatio	n date. Final d	ate is t	he estimated date		
Avoided Costs	ANNUAL	IZE [1] avoided	costs before			for one-time avoid	ied costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0 \$0	\$0	\$0 \$0
Financial Assurance [2]				0.00	\$0	\$0 \$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		1		0.00	<u> </u>	1 30	30
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$8,300			TOTAL		\$325

PCW		Screening Date
on 3 (September 2011)	ent Vidal Lopez and AJ's Logistic Services, LLC Policy Revisio	Respondent
Revision August 3, 2011	1101 11333	Case ID No.
		Reg. Ent. Reference No.
		Media [Statute] Enf. Coordinator
		Violation Number
		Rule Cite(s)
	Failed to maintain records at the designated place of business and in each vehicle. Specifically, the Respondents failed to maintain a copy of the sludge transporter registration authorization and failed to keep records showing how the domestic septage met the pathogen and vector attraction reduction requirements listed in 30 Tex. Admin. Code § 312.82(c) (relating to Pathogen Reduction) and 30 Tex. Admin. Code § 312.83 (relating to Vector Attraction Reduction), as documented during an investigation conducted on June 26, 2012. Copies of records were not being maintained on the two vehicles for a minimum of one month and at the beneficial land use site and transporter office for a minimum of five years.	Violation Description
\$25,000	Base Penalty	
	perty and Human Health Matrix	> Environmental, Prope
	Harm	Release
		OR Actua
	ential Percent 0.0%	Potentia
	iv.	S. D
		>Programmatic Matrix Falsification
	X Percent 5.0%	
	100% of the rule requirement was not met.	Matrix
	100% of the full requirement was not met.	Notes
ļ		
	Adjustment \$23,750	
\$1,250		
\$1,23	L	
		iolation Events
	er of Violation Events 3 Number of violation days	Number of
	daily	
	weekly weekly	
	monthly Control of the Control of th	
\$3,75	x qualities by	mark only one with an x
	semiannual	
	annual single event x	
•	30.94c e.co.r.c	
	single events are recommended (one for the Site, and one for each vehicle registered).	Three sing
ł		建建型工程基础基础工程
\$	Comply 0.0% Reduction	Good Faith Efforts to Con
	Before NOV NOV to EDPRP/Settlement Offer	2000 (310) 27/07/29 00 000.
	Extraordinary	
	Ordinary	
	N/A X (mark with x)	
	The Respondents do not meet the good faith criteria for	
	Notes this violation.	
	AAR POOR DEFENDANT DE PROCESS FORCE À MANTE DE STANDER DE LE COMMENS DE LE COMMENS DE LE COMMENS DE L'ARREST DE	
\$3,75	Violation Subtotal	
	for this violation Statutory Limit Test	conomic Benefit (EB) fo
15.5=		
\$3,37	imated EB Amount \$20 Violation Final Penalty Total	Estima
\$3,37	This violation Final Assessed Penalty (adjusted for limits)	

Resnondent		conomic nd AJ's Logistic Se	district parties and the structure of the field of	AAOI	KSHEEL		
Case ID No.	-	ia AJ 3 Logistic Sc	r vices, LLC				
ea. Ent. Reference No.							
	Water Quality					Percent Interest	Years of
Violation No.	4					reitein miterest	Depreciation
			4.44			5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
			1000 1000 1000 1000 1000 1000 1000 100	encid et chekens		ra coulest from professional and defective from a page	Properties and services
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land		82.3	8828	0.00	<u>\$0</u>	n/a	\$0
Record Keeping System	\$250	26-Jun-2012 26-Jun-2012	8-Apr-2013	0.78	\$10 \$10	n/a n/a	\$10 \$10
Training/Sampling Remediation/Disposal	\$250	79-JUU-5015	8-Apr-2013	0.78	\$10 \$0	n/a	\$10 \$0
Remediation/Disposal				11 0.00 1	JU	14/6	30
Dormit Costs				0.00		n/a	
Permit Costs Other (as needed)					\$0 \$0 n and to update o	n/a n/a operational guidance copies of the sludg	\$0 \$0 and conduct
	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and	that trip tickets e business and waste are tran	0.00 g system are filled each vel sported	\$0 \$0 n and to update of d out completely, nicle, the waste n and disposed at a	n/a operational guidance copies of the sludgeneets the pathogen an authorized facility	\$0 \$0 e and conduct e transporter and vector y/site. Date
Other (as needed) Notes for DELAYED costs	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	0.00 g system are filled each veh sported Final da	\$0 \$0 n and to update of d out completely, nicle, the waste n and disposed at a te is the estimate	n/a operational guidance copies of the sludgeneets the pathogen	\$0 \$0 e and conduct e transporter and vector y/site. Date ce.
Other (as needed)	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	0.00 g system are filled each veh sported Final da	\$0 \$0 n and to update of d out completely, nicle, the waste n and disposed at a te is the estimate	n/a operational guidance copies of the sludg neets the pathogen an authorized facilit ed date of complian	\$0 \$0 e and conduct e transporter and vector y/site. Date ce.
Other (as needed) Notes for DELAYED costs Avoided Costs	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each veh sported Final da entering 0.00	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at the is the estimate gitem (except of \$0 \$0	n/a operational guidance copies of the sludge neets the pathogen an authorized facilite d date of compliance for one-time avoid \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each veh sported Final da entering 0.00 0.00 0.00	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at the is the estimate gitem (except in \$0 \$0 \$0	n/a operational guidance copies of the sludgeneets the pathogen an authorized facilite d date of compliance for one-time avoic \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each versported Final da entering 0.00 0.00 0.00 0.00	\$0 \$0 and to update of out completely, nicle, the waste n and disposed at a te is the estimate item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a pperational guidance copies of the sludge neets the pathogen an authorized facility ed date of compliance for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each versported Final da entering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at a te is the estimate gitem (except of \$0 \$0 \$0 \$0 \$0	n/a operational guidance copies of the sludge neets the pathogen an authorized facility ed date of compliant for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each vel sported Final da entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at a te is the estimate gitem (except of \$0 \$0 \$0 \$0 \$0	n/a operational guidance copies of the sludge neets the pathogen an authorized facilite d date of compliance \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each versported Final da entering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at a te is the estimate gitem (except of \$0 \$0 \$0 \$0 \$0	n/a operational guidance copies of the sludge neets the pathogen an authorized facility ed date of compliant for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	employee tr registration reduction r	raining to ensure to ons are kept at the requirements, and equired is the inve	that trip tickets e business and waste are tran estigation date.	g system are filled each vel sported Final da entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	\$0 \$0 an and to update of dout completely, nicle, the waste n and disposed at a te is the estimate gitem (except of \$0 \$0 \$0 \$0 \$0	n/a operational guidance copies of the sludge neets the pathogen an authorized facilite d date of compliance \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 e and conduct e transporter and vector y/site. Date ce. ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		PCW
Respondent Case ID No.	Vidal Lopez and AJ's Logistic Services, LLC	Policy Revision 3 (September 2011) PCW Revision August 3, 2011
Reg. Ent. Reference No.		TOTT NEVISION Magade Sy Edit
Media [Statute]	Water Quality	
Enf. Coordinator Violation Number		
Rule Cite(s)		
	30 Tex. Admin. Code § 312.145(a)	
Violation Description	Failed to maintain a record of each individual collection and deposit in the trip ticket. Specifically, numerous manifests were incomplete; only include generator name; the name, address, and telephone number of the transmount of waste collected; and the volume of the septic tank.	uding the
	Bas	se Penalty \$25,000
>> Environmental, Proper	ty and Human Health Matrix	
	Harm	,
Release Actual	Major Moderate Minor	
Potential	Percent 0.0%	
S. Daniel and Marketine		
>>Programmatic Matrix Falsification	Major Moderate Minor	
	Y Percent 1.0%	
ERROLING SERVICES E ERROLING S		
Matrix	At least 70% of the rule requirement was met.	
Notes		
<u> </u>	N.B. (catery and	¢24.750
	Adjustment	\$24,750
	*	\$250
Violation Events		
Number of V	Violation Events 1 76 Number of violation	days
	daily	
	weekly	
mark only one	monthly quarterly Violation Bas	se Penalty \$250
with an x	semiannual	-
	annual Single System	
	single event x	
	One single event is recommended.	
Good Faith Efforts to Com	DIY 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	\$0
	Extraordinary Extraordinary	
	Ordinary	
Parket Market Ma	N/A (mark with x)	1
	Notes The Respondents do not meet the good faith criteria for	
	this violation.	
	V!-1-1:-	Cubtotal #250
		n Subtotal \$250
Economic Benefit (EB) for	this violation Statutory Limi	t Test
Estimate	ed EB Amount \$0 Violation Final Pen	alty Total \$225
	This violation Final Assessed Penalty (adjusted	for limits) \$225

	E(conomic I	Benetit	WO	rksneet		4.0
Respondent	Vidal Lopez an	d AJ's Logistic Ser	vices, LLC	sintermoratemane.			
Case ID No.							
Reg. Ent. Reference No.	RN104709241					***************************************	
	Water Quality					Percent Interest	Years of
Violation No.						r circuit zinterese	Depreciation
1,0,00,00	-					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Atem Description	no commos or y						200000000 Comment of the Comment of
Delaved Costs							Links, and
Equipment		I I		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Permit Costs							
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed) Notes for DELAYED costs				0.00 : benefi	\$0 t for violation no.	n/a 4.	\$0
•	ANNUAL	IZE [1] avoided		0.00 benefi	\$0 t for violation no.	n/a 4. for one-time avoice	\$0
Notes for DELAYED costs	ANNUAL	IZE [1] avoided		0.00 benefi	\$0 t for violation no. ng item (except	n/a 4. for one-time avoid	\$0 ded costs) \$0
Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided		0.00 benefi	\$0 t for violation no. ng item (except \$0 \$0	n/a 4. for one-time avoid \$0 \$0	\$0 ded costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0	n/a 4. for one-time avoid \$0 \$0 \$0	\$0 ded costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANNUAL	IZE [1] avoided		enterii 0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 t for violation no. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a 4. for one-time avoid	\$0 ded costs) \$0 \$0 \$0 \$0 \$0

Screening Date	10-Sep-2012 Docket No. 2012-1882-MLM-E	PCW
to the second se	Vidal Lopez and AJ's Logistic Services, LLC	Policy Revision 3 (September 2011)
Case ID No.		PCW Revision August 3, 2011
Reg. Ent. Reference No.		***************************************
Media [Statute] Enf. Coordinator		
Violation Number	the state of the s	**
Rule Cite(s)		
	30 Tex. Admin. Code § 312.144(f)	

Violation Description	Failed to mark discharge valves and ports on vehicles used to transpor wastes, as documented during an investigation conducted on June 26, Specifically, the discharge valves and ports on the two registered transpowers not marked.	rt vehicles
		e Penalty \$25,000
>> Environmental, Prope	ty and Human Health Matrix Harm	Markenship
Release	Major Moderate Minor	тольнография
OR Actua		nonina
Potentia	X Percent 5.0%	
>>Programmatic Matrix		осиментория
Falsification	Major Moderate Minor	
	Percent 0.0%	
Land of the second of the seco		
Matrix Which would a	ith or the environment will or could be exposed to significant amounts of po	illutants
Notes which would i	ot exceed levels that are protective of human health or environmental rece	ptors as a
	result of the violation.	
	Adjustment	\$23,750
	Adjasances	
Account		\$1,250
Violation Events		4
Number of	/iolation Events 2 76 Number of violation	days
	Tenanting and te	
mark only one with an x	daily weekly monthly quarterly semiannual annual single event	se Penalty \$2,500
	Two quarterly events are recommended for the two vehicles registered.	
	0.0% Reduction	\$0
Good Faith Efforts to Com	Before NOV NOV to EDPRP/Settlement Offer	
	Extraordinary	reconnection
	Ordinary	renovemen
	N/A x (mark with x)	***************************************
	Notes The Respondents do not meet the good faith criteria for this violation.	
	Violation	Subtotal \$2,500
Economic Benefit (EB) for	this violation Statutory Limit	Test
Estimat	ed EB Amount \$10 Violation Final Pen	alty Total \$2,250
	This violation Final Assessed Penalty (adjusted f	for limits) \$2,250

	E	conomic	Benefit	Wo	rksheet		100
Respondent Case ID No. eg. Ent. Reference No.	44993	d AJ's Logistic Ser	vices, LLC				
	Water Quality					Percent Interest	Years of Depreciation
Violation No.	U					5.0	15
	Ttem Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description					10.00		
Item pescipion	NO COMMISSION P						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	26-Jun-2012	8-Apr-2013	0.78	\$10	n/a	\$10
Notes for DELAYED costs Avoided Costs	req	uired is the invest	igation date. T	he fina enterii	I date is the estim	ed to transport liquion ated date of compliant of complia	ince. led costs)
Disposal				0,00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
•							
Notes for AVOIDED costs							

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011)

Policy Revision 3 (S	eptember 2011)		PCW Revision	August 3, 2011
	27-Aug-2012			
PCW	10-Sep-2012 Screening 10-Sep-2012	EPA Due		eger open general and a second a
RESPONDENT/FACILI	TY INFORMATION			
	Vidal Lopez and AJ's Logistic Services, LLC			
Reg. Ent. Ref. No. Facility/Site Region		Major/Minor Source	Minor	
Facility/Site Region	14-Corpus Christi	Major/Pillor Source	TEM101	weeksteeden
CASE INFORMATION				
Enf./Case ID No.	44993	No. of Violations		
	2012-1882-MLM-E	Order Type Government/Non-Profit		
Media Program(s) Multi-Media	Water Quality	Enf. Coordinator		
71010 170010			Enforcement Team	1
Admin. Penalty \$	Limit Minimum \$0 Maximum	\$5,000		enserroranicos mentralizacionis presidente exercisente de
	Danathy Calculat	ion Coation		
	Penalty Calculat			
TOTAL BASE PENA	ALTY (Sum of violation base penalt	ties)	Subtotal 1	\$750
ADJUSTMENTS / +	/-) TO SUBTOTAL 1			
Subtotals 2-7 are of	btained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance Hi	story -10.0%	Enhancement Subto	tals 2, 3, & 7	-\$75
Nahaa	Reduction for high performer	classification		
Notes	Reduction for riight performer	ciassification:		
- 1 1 1111	[No.	-	Subtotal 4	\$0
Culpability	No 0.0%	Enhancement	Jubiolar	
Notes	The Respondents do not meet the	culpability criteria.		
Good Faith Eff	ort to Comply Total Adjustments	Section 1	Subtotal 5	\$0
Good dicir Eli	ore to comply from Adjacaniane		<u> </u>	
_			Subtotal 6	\$0
Economic Ben		Enhancement* d at the Total EB \$ Amount	Subtotal 6	- 30
Approx	. Cost of Compliance \$600	,		
			inal Subtotal	\$675
SUM OF SUBTOTA	LS 1-7		inai Subtotai	4073
OTHER FACTORS	AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
Reduces or enhances the Fina	Subtotal by the indicated percentage.			
Notes				
		Final Per	nalty Amount	\$675
		,,,,,,,,,		
STATUTORY LIMIT	Γ ADJUSTMENT	Final Asse	ssed Penalty	\$675
DEFERRAL		20.0% Reduction	Adjustment	-\$135
Reduces the Final Assessed Pe	enalty by the indicted percentage. (Enter number only; e	.g. ZU FOF ZU% FEDUCTION.)	1	
Notes	Deferral offered for expedited	d settlement.		
140665				
			•	

\$540

Screening Date 10-Sep-2012

Docket No. 2012-1882-MLM-E

Respondent Vidal Lopez and AJ's Logistic Services, LLC

Case ID No. 44993

Reg. Ent. Reference No. RN104709241

Media [Statute] Used Oil Enf. Coordinator JR Cao

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Compliance History Worksheet

Component	ory Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
Component	Written notices of violation ("NOVs") with same or similar violations as those in		
NOVs	the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Adults	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Ple	ease Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Subt	total 2)
eat Violator (
No	Adjustment Per	centage (Sub	otai 3)
	ry Person Classification (Subtotal 7)		
High Perf		centage (Subt	total 7)
ipliance Histo	ry Summary		
Compliance History Notes	Reduction for high performer classification.		
<u>.</u>	Total Compliance History Adjustment Percentage (S	Subtotals 2, 3	3, & <i>7</i>)
Compliance b	listory Adjustment		

Screening Date	10-Sep-2012 Docket No. 2012-1882-MLM-E	PCW
	Vidal Lopez and AJ's Logistic Services, LLC	Policy Revision 3 (September 2011)
Case ID No. Reg. Ent. Reference No.		PCW Revision August 3, 2011
Media [Statute]		
Enf. Coordinator		
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 324.6 and 40 Code of Federal Regulations ("C 279.22(d)	FR") §
	Falled to perform cleanup actions upon detection of a release of use	d oil.
Violation Description	Specifically, an oil stain was observed near one of the used oil tan	
	Bas	e Penalty \$5,000
>> Environmental, Proper	ty and Human Health Matrix	
	Harm	
Release OR Actual	Major Moderate Minor . X	
Potential	Percent 5.0%	
>>Programmatic Matrix Falsification	Major Moderate Minor	
Detroit and Commence	Percent 0.0%	
	or the environment has been exposed to insignificant amounts of polluta	nts which
Matrix do not exceed	levels that are protective of human health or environmental receptors as	a result of
Notes	the violation.	
	Adjustment	\$4,750
		\$250
Violation Events		
Number of	/iolation Events 1 76 Number of violation	davs
Number of		
	dally	ole control of the co
	weekly monthly	
mark only one with an x	quarterly X Violation Bas	e Penalty \$250
	semiannual	
	annual single event	
One quarterly	event is recommended from the investigation date (June 26, 2012) to the	screening
	date (September 10, 2012).	
Good Faith Efforts to Com	ply 0.0% Reduction	\$0
Good Faith Littles to com	Before NOV NOV to EDPRP/Settlement Offer	
7	Extraordinary	Table 19 and 19
	Ordinary (mark with x)	
	The Respondents do not meet the good faith criteria for	
	Notes this violation.	
	Violation	Subtotal \$250
Economic Benefit (EB) for	this violation Statutory Limit	t Test
and the state of t	ed EB Amount \$20 Violation Final Pen	alty Total \$225
	This violation Final Assessed Penalty (adjusted f	for limits) \$225
	i ilis viviation Final Assessed Femalty (adjusted i	

Media Violation No.	RN104709241 Used Oil 1					Percent Interest	Years of Depreciation
			12000			5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	12.00	100				
	A	4005-6-00-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0					
Delayed Costs_							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$500	26-Jun-2012	8-Apr-2013	0.78	\$20	n/a	\$20
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated co	st to clean up and	properly mana	ge the	released used oil.	Date required is the	e investigation
Notes for DELAYED costs Avoided Costs Disposal Personnel		date and	d the final date	is the e	estimated date of significant	compliance. for one-time avoid \$0 \$0	led costs) \$0 \$0
Avoided Costs Disposal Personnel		date and	d the final date	enterin 0.00 0.00 0.00	estimated date of significant specificant significant specificant	for one-time avoid \$0 \$0 \$0 \$0	### solution
Avoided Costs Disposal Personnel		date and	d the final date	enterin 0.00 0.00 0.00 0.00	estimated date of some state of some some some some some some some some	for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling		date and	d the final date	enterin 0.00 0.00 0.00	stimated date of solutions	for one-time avoid	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment		date and	d the final date	enterin 0.00 0.00 0.00 0.00 0.00 0.00	estimated date of some stem (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		date and	d the final date	enterin 0.00 0.00 0.00 0.00 0.00	stimated date of solutions	for one-time avoid	\$0 \$0 \$0 \$0 \$0 \$0

Screening Date	10-Sep-2012		Docket No. 201		PCW
		d AJ's Logistic Servi	ces, LLC		on 3 (September 2011) Revision August 3, 2011
Case ID No. Reg. Ent. Reference No.				PCVV F	CEVISION August 3, 2011
Media [Statute]		•		N.	
Enf. Coordinator					m/weepoys.
Violation Number					- Avdesses
Rule Cite(s)	30 Tex. Adm	nin. Code § 324.6 an	d 40 Code of Federal Re	egulations § 279.22(c)(1)	***************************************
					* A STATE OF THE S
					ordered a property of the control of
Violation Description	Failed to label	used oil containers is containing used oi	clearly with the words I were not labeled with t	Used Oil". Specifically, two the words "Used Oil".	
				Base Penalty	\$5,000
>> Environmental, Proper	ty and Hun	nan Health Mat Harm	rix	į	AND
Release	Major		inor		
OR Actual					Adappara
Potential			Pel	rcent 0.0%	
>>Programmatic Matrix			1 (1 Exercise)		
Falsification	Major	Moderate M	inor	rcent 5.0%	·
	X			3.0%]	
Matrix Notes	j	100% of the rule req	uirement was not met.		
			Adjust	ment \$4,750	
					\$250
Violation Events					
Number of	Violation Event	s 2	76 Nu	mber of violation days	
	daily				
	weekly				
mark only one	monthly			Violation Base Penalty	\$500
with an x	quarterly semiannual			Violation base ventily	
	annual				
	single event	X			
					· .
	Two single	e events, one for eac	th container, are recom	mended.	
Good Faith Efforts to Com	ply		ıction		\$0
			o EDPRP/Settlement Offer		
Political	Extraordinary Ordinar				
- mondanger programmer in the contract of the	Orumar N/A		with x)		
meter of the second sec	,		do not meet the good i	faith criteria for	
The state of the s	Note	S THE RESPONDENCE	this violation.		
The second secon					
***************************************				Violation Subtotal	\$500
Economic Benefit (EB) for	this violat	ìon	St	atutory Limit Test	
Estimat	ted EB Amoun	t	\$4 Viol	lation Final Penalty Total	\$450
Towards and the second		This violatio	n Final Assessed Pen	alty (adjusted for limits)	\$450

eg. Ent. Reference No. Media Violation No.	Used Oil					Percent Interest	Years of Depreciation
		750				5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs					1000		10.00
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal			referencia de concesió de contracto de contracto de la contrac	0.00	\$0	n/a l	\$0
iscintuation/ mispossi							
Permit Costs				0.00	\$0	n/a	\$0
	\$100 Estimated cos			0.00 0.78 ntainers	\$0 \$4 s with the words "I	n/a n/a Jsed Oil". The date	\$0 \$4
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cos	st to properly label investigation da	all used oil con ate and the fina	0.00 0.78 ntainers of date 0.00 0.00 0.00 0.00	\$0 \$4 s with the words "Visit the estimated displayed the stimated d	n/a n/a N/a N/a Used Oil". The date ate of compilance. for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$4 required is the led costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos	st to properly label investigation da	all used oil con ate and the fina	0.00 0.78 ntainers d date enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$4 s with the words "list he estimated displayed by the estimated	n/a n/a Jsed Oil". The date ate of compliance. for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$4 required is the ied costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated cos	st to properly label investigation da	all used oil con ate and the fina	0.00 0.78 ntainers of date 0.00 0.00 0.00 0.00	\$0 \$4 s with the words "Visit the estimated displayed the stimated d	n/a n/a N/a N/a Used Oil". The date ate of compilance. for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$4 required is the led costs) \$0 \$0 \$0 \$0 \$0

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Compliance History Report

PUBLISHED Compliance History Report for CN604103242, RN104709241, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator:	CN604103242, AJ's Logistic Se	ervices, LLC Cla	ssification: HIGH	Rating: 0.00
Regulated Entity:	RN104709241, AJS SERVICES	Cla	assification: HIGH	Rating: 0.00
Complexity Points:	2	Re	peat Violator: NO	
CH Group:	14 - Other			
Location:	5688 State Highway 359 on th of State Highway 44 and State	ne east side of State e Highway 359 in A	e Highway 359, approxima lice, Jim Wells County, Tex	tely seven miles from the intersection as
TCEQ Region:	REGION 14 - CORPUS CHRIST	I		
UNA455140110	894 NON PERMITTED ID NUMBER iod: September 01, 2007 to A		GISTRATION 23627 Rating Year: 2012	Rating Date: 09/01/2012
Date Compliance Histor		vember 05, 2012		was a state of the
-	ing Compliance History:	Enforcement		
Component Period Sele	cted: November 05, 2007 to	November 05, 20:	12	
•	Contact for Additional Info	rmation Regard	ing This Compliance	History.
Name: JR Cao			Phone (512) 239	
Site and Owner/Oper		fi	o noviod?	YES
	nce and/or operation for the full the control of the full the change in ownership/operator of			NO
3) If YES for #2, who is the c		N/A	F	
4) If YES for #2, who was/we owner(s)/operator(s)?		N/A		
5) If YES, when did the chan occur?	nge(s) in owner or operator	N/A		
Components (Multim	edia) for the Site Are Li	sted in Sectio	ns A - J	
A. Final Orders, court	judgments, and consent d	lecrees:		
B. Criminal conviction	ıs:			
C. Chronic excessive of N/A	emissions events:			
	s of investigations (CCEDS arry 13, 2009 (721663):	

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F.	Environme	ntal	audits:
	N/A		

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

Sites Outside of Texas:

N/A

Published Compliance History Report for CN604103242, RN104709241, Rating Year 2012 which includes Compliance History (CH) components from November 05, 2007, through November 05, 2012.

Page 2

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Compliance History Report

PUBLISHED Compliance History Report for CN602253957, RN104709241, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator:

CN602253957, LOPEZ, VIDAL B

Classification: HIGH

Rating: 0.00

Regulated Entity:

RN104709241, AJS SERVICES

Classification: HIGH

NO

Rating: 0.00

Complexity Points:

Repeat Violator:

CH Group:

14 - Other

Location:

5688 State Highway 359 on the east side of State Highway 359, approximately seven miles from the intersection

of State Highway 44 and State Highway 359 in Alice, Jim Wells County, Texas

TCEQ Region:

REGION 14 - CORPUS CHRISTI

ID Number(s):

SLUDGE REGISTRATION 710894

SLUDGE REGISTRATION 23627

MUNICIPAL SOLID WASTE NON PERMITTED ID NUMBER

UNA455140110

Compliance History Period: September 01, 2007 to August 31, 2012

Rating Year: 2012

Rating Date: 09/01/2012

Date Compliance History Report Prepared:

November 05, 2012

Agency Decision Requiring Compliance History:

Enforcement

Component Period Selected: November 05, 2007 to November 05, 2012

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: JR Cao

(512) 239-2543

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

NO

3) If YES for #2, who is the current owner/operator?

N/A

4) If YES for #2, who was/were the prior

N/A

owner(s)/operator(s)?

N/A

5) If YES, when did the change(s) in owner or operator

occur?

Components (Multimedia) for the Site Are Listed in Sections A - J

Final Orders, court judgments, and consent decrees:

Criminal convictions:

N/A

Chronic excessive emissions events:

The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1

February 13, 2009

(721663)

Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

G. Type of environmental management systems (EMSs):

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N//

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Published Compliance History Report for CN602253957, RN104709241, Rating Year 2012 which includes Compliance History (CH) components from November 05, 2007, through November 05, 2012.

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
VIDAL LOPEZ AND AJ'S	§	
LOGISTIC SERVICES, LLC	§	
RN104709241	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2012-1882-MLM-E

I. JURISDICTION AND STIPULATIONS

- 1. The Respondents own and operate a sludge transporter business and beneficial land use site located at 5688 State Highway 359 on the east side of State Highway 359, approximately seven miles from the intersection of State Highway 44 and State Highway 359 in Alice, Jim Wells County, Texas (the "Site").
- 2. The Respondents have caused, suffered, allowed or permitted the discharge of any waste or the performance of any activity in violation of Tex. Water Code ch. 26 or any rule, permit, or order of the Commission, and the Site involves or involved the management of municipal solid waste ("MSW") and used oil as defined in Tex. Health & Safety Code chs. 361 and 371.
- 3. The Executive Director and the Respondents agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondents are subject to the Commission's jurisdiction.
- 4. The Respondents received notice of the violations alleged in Section II ("Allegations") on or about August 27, 2012.

- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondents of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Eighteen Thousand Nine Hundred Dollars (\$18,900) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondents have paid Fifteen Thousand One Hundred Twenty Dollars (\$15,120) of the administrative penalty and Three Thousand Seven Hundred Eighty Dollars (\$3,780) is deferred contingent upon the Respondents' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondents fail to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondents to pay all or part of the deferred penalty.
- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondents agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a).
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Site, the Respondents are alleged to have:

- 1. Failed to obtain authorization to land apply domestic sewage sludge, in violation of 30 Tex. Admin. Code § 312.4(d), as documented during an investigation conducted on June 15, 2012. Specifically, the Respondents did not renew TCEQ Sludge Registration No. 710894, which expired on March 14, 2011, and are continuing to land apply domestic septage. Waste manifests indicate at least 2,212,182 gallons of domestic septage was land applied from December 21, 2011 through June 14, 2012.
- 2. Failed to deposit wastes at a facility designated by or acceptable to the generator where the owner or operator of the facility agrees to receive the wastes and the facility has written authorization by permit or registration issued by the Executive Director to receive wastes, in violation of 30 Tex. ADMIN. CODE § 312.143 and Tex. WATER CODE

- § 26.121(a)(1), as documented during an investigation conducted on June 26, 2012. Specifically, the Respondents are transporting and disposing septic tank waste at the Site.
- 3. Failed to prevent the unauthorized disposal of MSW, in violation of 30 Tex. Admin. Code § 330.15(c), as documented during an investigation conducted on June 26, 2012. Approximately 524 cubic yards of MSW including plastics, cardboard, household garbage, treated wood, metals, motor oil bins, filters, polyvinyl chloride pipes, tarps, vegetable debris, a couch, wire, rubber/plastic hoses, cement pieces, used and/or scrap tires, pipe end caps, drums containing unknown substances, axles, batteries, used oil filters, and insulation were disposed of at the Site.
- 4. Failed to maintain a copy of the sludge transporter registration authorization at the designated place of business and in each vehicle operated under that registration, in violation of 30 Tex. Admin. Code § 312.142(c), as documented during an investigation conducted on June 26, 2012.
- 5. Failed to keep records showing how the domestic septage met the pathogen and vector attraction reduction requirements listed in 30 Tex. Admin. Code § 312.82(c) (relating to Pathogen Reduction) and 30 Tex. Admin. Code § 312.83 (relating to Vector Attraction Reduction), in violation of 30 Tex. Admin. Code § 312.144(e), as documented during an investigation conducted on June 26, 2012. Copies of records were not being maintained on the two vehicles for a minimum of one month and at the beneficial land use site and transporter office for a minimum of five years.
- 6. Failed to maintain a record of each individual collection and deposit in the form of a trip ticket, in violation of 30 Tex. Admin. Code § 312.145(a), as documented during an investigation conducted on June 26, 2012. Specifically, numerous manifests were incomplete; only including the generator name; the name, address, and telephone number of the transporter; amount of waste collected; and the volume of the septic tank.
- 7. Failed to mark discharge valves and ports on vehicles used to transport liquid wastes, in violation of 30 Tex. Admin. Code § 312.144(f), as documented during an investigation conducted on June 26, 2012. Specifically, the discharge valves and ports on the two registered transport vehicles were not marked.
- 8. Failed to perform cleanup actions upon detection of a release of used oil, in violation of 30 Tex. Admin. Code § 324.6 and 40 Code of Federal Regulations ("CFR") § 279.22(d), as documented during an investigation conducted on June 26, 2012. Specifically, an oil stain was observed near one of the used oil tanks.
- 9. Failed to label used oil containers clearly with the words "Used Oil", in violation of 30 Tex. Admin. Code § 324.6 and 40 CFR § 279.22(c)(1), as documented during an investigation conducted on June 26, 2012. Specifically, two drip pans containing used oil were not labeled with the words "Used Oil".

III. DENIALS

The Respondents generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondents pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Vidal Lopez and AJ's Logistic Services, LLC, Docket No. 2012-1882-MLM-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- Vidal Lopez and AJ's Logistic Services, LLC are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
- 3. It is further ordered that the Respondents shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order:
 - i. Cease all land application of domestic sewage sludge at the Site until authorization is obtained, in accordance with 30 Tex. ADMIN. CODE § 312.4; and
 - ii. Cease disposing of any additional unauthorized MSW at the Site.
 - b. Within 15 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.e below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i and 3.a.ii;
 - c. Within 30 days after the effective date of this Agreed Order:

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- Remove all unauthorized waste from the Site and dispose of it at an authorized facility;
- ii. Develop and implement a record keeping system to ensure records are maintained to show how the domestic septage meets the pathogen and vector attraction reduction requirements listed in 30 Tex. ADMIN. CODE

§ 312.82(c) (relating to Pathogen Reduction) and 30 TEX. ADMIN. CODE § 312.83 (relating to Vector Attraction Reduction), in accordance with 30 TEX. ADMIN. CODE § 312.144(e);

- iii. Begin maintaining complete trip ticket records, in accordance with 30 TEX. ADMIN. CODE § 312.145(a);
- iv. Begin maintaining a copy of the sludge transporter registration authorization at the designated place of business and in each vehicle operated under that registration, in accordance with 30 Tex. ADMIN. CODE § 312.142(c);
- v. Appropriately mark discharge valves and ports on vehicles used to transport liquid wastes, in accordance with 30 Tex. ADMIN. CODE § 312.144(f);
- vi. Develop and implement procedures to ensure used oil is properly managed to prevent discharges of used oil onto the ground from oil tanks, in accordance with 40 CFR § 279.22(d);
- vii. Appropriately mark each used oil container with the words "Used Oil", including but not limited to the two drip pans, in accordance with 40 CFR § 279.22(c)(1); and
- d. Within 60 days after the effective date of this Agreed Order, submit a report, which includes a summary of remediation activities that took place, confirming that all contaminated soil at the Site has been properly remediated. Remediation activities will address all areas where soil has been contaminated with sewage sludge, used oil, and/or other waste at the Site. The report shall include analytical results of soil confirmation sampling which characterizes the effectiveness of contaminated soil removal in all contaminated areas and documentation that contaminated soil and waste have been disposed at an authorized facility; and
- e. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.c. and 3.d. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager Corpus Christi Regional Office Texas Commission on Environmental Quality 6300 Ocean Drive, Suite 1200 Corpus Christi, Texas 78412-5503

- 4. The provisions of this Agreed Order shall apply to and be binding upon the Respondents.
- 5. If the Respondents fail to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondents' failure to comply is not a violation of this Agreed Order. The Respondents shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondents shall notify the Executive Director within seven days after the Respondents become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures

may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under Tex. Bus. Org. Code § 1.002.

9. Under 30 Tex. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondents, or three days after the date on which the Commission mails notice of the Order to the Respondents, whichever is earlier.

Vidal Lopez

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	7/23/13 Date
I, the undersigned, have read and understand the agree to the attached Agreed Order on behalf of the do agree to the terms and conditions specified there accepting payment for the penalty amount, is mater	e entity indicated below my signature, and l
 I also understand that failure to comply with the and/or failure to timely pay the penalty amount, ma A negative impact on compliance history; Greater scrutiny of any permit applications some Referral of this case to the Attorney General additional penalties, and/or attorney fees, or Increased penalties in any future enforcement Automatic referral to the Attorney General's and TCEQ seeking other relief as authorized by la In addition, any falsification of any compliance documents. 	y result in: ubmitted; ral's Office for contempt, injunctive relief, to a collection agency; at actions; s Office of any future enforcement actions;
Signature Viva Lope 2 Name (Printed or typed) Authorized Representative of	Date 4/1/13 Date 0 wner

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
Pan Saveiz	7/23/13
For the Executive Director U	Date
acros to the attached Agreed Order on behalf	the attached Agreed Order. I am authorized to of the entity indicated below my signature, and I therein. I further acknowledge that the TCEQ, in naterially relying on such representation.
 and/or failure to timely pay the penalty amoun A negative impact on compliance histor Greater scrutiny of any permit application Referral of this case to the Attorney 	y; ons submitted; General's Office for contempt, injunctive relief,
 additional penalties, and/or attorney fee Increased penalties in any future enforcement Automatic referral to the Attorney General 	es, or to a collection agency;
TCEQ seeking other relief as authorized TCEQ seeking other relief as authorized.	by law. documents may result in criminal prosecution.
In addition, any faishication of any compliance	GOGGIACHES MAY TOSHIC IN CAMADIAN POST
Signature	4/22/13 Date
Vida/Lopez	Title Quant
Name (Printed or typed) Authorized Representative of AJ's Logistic Services, LLC	A A LUC

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.